

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:23-cv-00106-MR-WCM**

RODNEY DESHAYE ROWDY,

Plaintiff,

vs.

GEORGE WARREN, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on its review of the docket in this matter.

On June 30, 2023, Plaintiff filed the instant action pursuant to 42 U.S.C. § 1983 against Defendants George Warren and FNU Timmons. [Doc. 1]. The docket in the instant matter shows Plaintiff's current address as Alexander Correctional Institution in Taylorsville, North Carolina. On July 18 and July 24, 2023, however, two of the Clerk's Orders in this matter were returned to the Court as undeliverable. The return envelopes indicate that Plaintiff has been released from custody. [See Docs. 9, 10]. Moreover, on July 25, 2023, the Clerk received notification from the North Carolina Department of Adult Corrections that Plaintiff "is no longer incarcerated." [Doc. 11 at 1]. Plaintiff, however, has not updated his address with the Court.

On August 22, 2023, therefore, the Magistrate Judge ordered the Plaintiff to notify the Court of his new address within fourteen (14) days of that Order. [Doc. 12]. The Magistrate Judge warned Plaintiff that the Court would dismiss this action without prejudice and without further notice if the Plaintiff failed to timely notify the Court of his new address. [Id. at 2].

More than 14 days have passed, and Plaintiff has not notified the Court of his new address. The Court will, therefore, dismiss this action without prejudice.

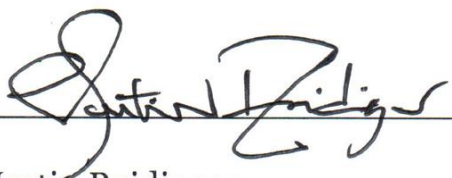
ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: September 18, 2023



Martin Reidinger
Chief United States District Judge

